

CHARLES H. RARICK.

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JUNE 23, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. BELKNAP, from the Committee on Military Affairs, submitted the following

REPORT.

[To accompany H. R. 3240.]

The Committee on Military Affairs, having had under consideration the bill (H. R. 3240) for the relief of Charles H. Rarick, would respectfully report the same back to the House with the recommendation that the bill do pass with the following amendment:

Add after the word "sixty-three," in line 7 of the bill, the following: "*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The committee finds the facts in this case to be as follows: The soldier enlisted on 18th day of August, 1862, in Company C, Seventh Regiment Infantry, Maryland Volunteers. The records show him to have deserted February 3, 1863, and that he never returned to his command. On 29th day of February, 1864, he again enlisted in Alexander's battery, Maryland Light Artillery, and served honorably therein until he was discharged with his said battery on 17th day of June, 1865, by reason of the close of the war, and received an honorable certificate of discharge.

The soldier states in his behalf that while his regiment was stationed in Maryland, near his own home, and not in the presence of the enemy, he received news from home that some important business matters demanded his immediate attention, and it not being within the power of his officers to comply with the numerous requests for leaves of absence, he left without proper authority, expecting to return in a few days. To his surprise his regiment was ordered into western Virginia, and when he tried to rejoin his command he found it impossible to do so. Hence he enlisted in another Maryland command.

This statement is corroborated by First Lieut. Joseph P. Webster, of Company C, Seventh Maryland Infantry, whose affidavit is made a part of this report.

Your committee, after a careful consideration of this case, are of the opinion that the soldier left his command with no intention of deserting, and that he voluntarily returned to the military service, and served honorably to the close of the war, without knowing that he was doing

a wrong by enlisting in another command, believing at the time that all that was necessary for him to do was to return to the military service.

Your committee further recommend that all after the title of the bill down to the enacting clause be stricken from the bill.

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STATE OF MARYLAND, *County of Baltimore, ss:*

In the matter of application by Charles H. Rarick, late Company C, Seventh Regiment Infantry Maryland Volunteers, and Alexander's Battery, of Maryland Light Artillery.

Personally came before me, a justice of the peace in and for the aforesaid county and State, Joseph P. Webster, aged 62 years, of No. 1122 Linden avenue, city of Baltimore, State of Maryland, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

That he was a first lieutenant of Company C, Seventh Regiment Infantry Maryland Volunteers; he was present for duty with the said command, then stationed on Maryland Heights, Maryland, about the latter part of February, 1863. He recollects very well Charles H. Rarick, now present at the signing of this affidavit, who was at the time as aforesaid a private in Company C, Seventh Maryland Infantry. About that time there was quite a number of the command applying for leave of absence, and that the number being granted were few, and that quite a number of the men would go to their homes in Maryland without leave and return voluntarily; this was called "taking a french." Amongst the number Mr. Charles H. Rarick left camp about the latter part of February or March, 1863, and in April the regiment was ordered on duty in the mountain district of western Virginia, where it would have been a very difficult matter for an absentee to rejoin his command. Mr. Rarick never returned to his regiment. Understood that he reenlisted in Alexander's Battery of Maryland Light Artillery and served honorably until the close of the war. Mr. Rarick was a good soldier and in my opinion had no intention to desert the military service.

JOS. P. WEBSTER.

Sworn to and subscribed before me this day by the above-named affiant; and I certify that I read said affidavit to said affiant, and acquainted him with its contents before he executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me; that he is a credible person and so reputed in the community in which he resides.

Witness my hand and official seal this 10th day of May, 1897.

[SEAL.]

PETER SAHM, *Justice of the Peace.*

